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MAR 21 2023

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT E.D.N.Y.

★ MAR 21 2023 ★

BROOKLYN OFFICE

Saul Sabino

Plaintiff,

Fill in above the full name of each plaintiff or petitioner.

-against-

James Ogle, City of New York,
et al

Defendants,

Fill in above the full name of each defendant or respondent.

Case No. 20 CV 5861(EK)JRC
Plaintiff's Reply To Hon. Komitee's
Order To Show Cause dated 3/3/23 As
To Why Defendant Mr. Ogle should
NOT BE Dismissed "As a
Matter of Defendant Mr. Ogle's
Directly-Participations" That
Cause and Subjected Plaintiff
Sabino To Loss of Liberty (ie) U.S.
Constitutional Deprivations of
His Rights; AND Ogle was Informed
of said violations Directly Yet
Ogle Exhibited deliberate Indifference
To Plaintiff's Rights By Failing To Act on
Information that unconstitutional Acts
were occurring To Mr. Sabino for 72 DAYS
As
Rule 50(a) of
Fed. R. Civ. P. or
Rule 57 Declaratory
Judgments or
Motions

"Plaintiff Unintentionally Omitted Claims
against Mr. Ogle in His Amended Complaint and
humbly seeks leave to Amend the Complaint
for limited purpose of alleging His claims against
Defendant Mr. Ogle" Please YOUR HONOR & SORRY. A Matter of Merits & Law

Briefly explain above the purpose of the declaration, for example, "in Opposition to Defendant's
Motion for Summary Judgment."

I, Saul Sabino, declare under penalty of perjury that the
following facts are true and correct: ON This Blessed Monday March 13th 2023.

In the space below, describe any facts that are relevant to the motion or that respond to a court
order. You may also refer to and attach any relevant documents.

YOUR HONOR ERIC R. KOMITTE:

(1) The Reason why Defendant Mr. Ogle should NOT be
Dismissed is because Mr. Ogle Participated Directly in Plaintiff
Sabino's U.S. Constitutional Violations when Mr. Ogle signed &
authorized (Non-Probable Cause - NOR JURISDICTION) warrant that "Cause
and Subjected" Sabino to Deprivations of his Rights To Liberty
for 72 DAYS from JUNE 04, 2019 - August 14, 2019 - EVEN Partial Liability
SINCE ON JUNE 19 2019 NO PROBABLE CAUSE & WARRANT WAS LIFTED (SABINO
was NO longer under Parole authority as of November 21 2018 Maximum Expiration
YET SABINO was still NOT Released and He gave Mr. Ogle sufficient Notices
of Violations NOT Fixed still, See Mandala v. Coughlin 920 F. Supp. 342, 351 -
(E.D.N.Y. 1996); Dowdy v. Hercules, 2010 WL 169624, 3, *6 (E.D.N.Y. Jan. 15, 2010);
Richardson v. Goord, 347 F. 3d 431, 435 (2d Cir. 2003).

(2) Defendant Mr. Ogle after being informed of Plaintiff's loss of Liberty & wrongfull UNconstitutional confinement. Through many- Avenue(s) of Communications-AND Directly with Plaintiff ON NYC Soc- PHONE, "failed to properly remedy the wrong", Mr. Ogle continue to allowed his own created (by issuing warrant) UNconstitutional- Practices to Occurred AND Place me on long holds on the Phone, Then Cell lost. Redial, Mr. Ogle seem NOT interested in Plaintiff's liberty.

(3) Defendant Mr. Ogle Exhibited "deliberate Indifference" to Plaintiff Sabino's Rights by "grossly-and-Negligently-Failing-to-Act" ON Direct information that UNconstitutional Acts were- still OCCURRING TO MR. SABINO who did NOT see anyone NOR- a Hearing NOR Liberty and illegally incarcerated for- 72 DAYS from JUNE 04, 2019, to Aug 14, 2019 under Book & case- Number # 141-19-03106, this still your Honor, makes Mr. Ogle- "Liable" or "Partially-Liable", and is been held that "lack of any safeguards against errors in procedure for issuing warrants- could constitute a Policy of deliberate indifference, see Berg v. County of Allegheny, 219 F.3d 261, 275 (3d Cir. 2000), see Colon v. Coughlin, 58 F.3d 865, 873 (2d Cir. 1995).

(4) YOUR HONOR, Plaintiff Had confer with Defendant Mr. Ogle's attorney- ON fair sum of Damages for their "Partial Liability" and agreed to a- Humble just compensation of total sum of \$25,000 Twenty-five thousand dollar- as Award Letter, However Mr. Blacato Had said in order to Resume- this your Honor would have to Dismiss Mr. Ogle's pending motion to Dismiss- So that, Mr. Blacato is given settlement Authority and "I can & will- accept" Mr. Ogle's \$25,000 offer. So that the Court can- Focus- only- ON- The remaining Party with the "Biggest Liability Act- ions" "City of New York". Therefore Plaintiff would Appreciated- if the Court can Dismiss Mr. Ogle- pending Motion to Dismiss- so that- we can- engage- ONLY- with Mr. Ogle in Settlement of above small \$25k- amount as agreed in the past. See Peterson v. County of Nassau, 995 F. Supp. 305, 315-324 (E.D.N.Y. 1998). Thank you, YOUR HONOR Have a blessed day. I also submitted Change of Address.

Attach additional pages and documents if necessary.

will be Released on August 07, 2023. Hashem Willing

March 13th, 2023

Executed on (date)

Sabino, Saul

Name

Elmira Corr. Fac. Loc. A-1-28

Address

1879 Davis Street, P.O. Box 500, Elmira N.Y. 14902-0500

City

State

Zip Code

Signature

ID# 23B0946

Prison Identification # (if incarcerated)

Telephone Number (if available)

E-mail Address (if available)

* Release Date August 07th, 2023 - IN Reception all Day Lock-In No Law- Library, NOR Copys, NOR Phone

STATE OF NEW YORK - EXECUTIVE DEPARTMENT - DIVISION OF PAROLE CN: 201906191281
PAGE 5

TO: NEW YORK CITY DEPARTMENT OF CORRECTIONS
FROM: PAROLE VIOLATION UNIT
RE: RESULTS OF PAROLE REVOCATION HEARING

* * * * *

HEARING DATE: 06/19/2019
HEARING LOCATION: RIKERS ISLAND

NAME: SABINO, SAUL
WARRANT: 0803096
NYSID: 01052307M
B & C: 141-19-03106
PO: HIBBERT, TAMEKA

OUTSIDE DATE: 06/19/19

* * * * *
PLEASE TAKE NOTE THAT THE PRELIMINARY PAROLE REVOCATION HEARING LISTED ABOVE
HAS RESULTED IN ONE OF THE FOLLOWING:

- ☐ PROBABLE CAUSE FOUND
☒ PROBABLE CAUSE NOT FOUND; WARRANT LIFTED
☐ CASE ADJOURNED TO _____
☐ WAIVED HEARING ON RECORD

* * * * *

NOTICE TO ATTORNEY OF ADJOURNMENT DATE:

- ☐ HAND DELIVERED ON _____
☐ MAILED ON _____

NOTICE TO PAROLEE OF ADJOURNMENT DATE:

- ☐ HAND DELIVERED ON _____
☐ MAILED ON _____

* * * * *

SIGNATURE: *P. B. Felt* TITLE: PO # 222
DATE: 6/19/19

* * * LAST PAGE * * *

New History NYSID Number Search (QNH#)

Discharged After April 25, 1990

Din = Days Incarcerated Total Per Record

Bran	Nysid #	Book&case#	Last Name	First Name	Admit Date	Din	Disc Date	Last Hou
	01052307M	1410517369	SABINO	SAUL			No Public Record	
	01052307M	1410616680	SABINO	SAUL	20-SEP-06	253	30-MAY-07	GRV
	01052307M	1410522070	SABINO	SAUL	24-DEC-05	46	07-FEB-06	GMD
	01052307M	1411507840	SABINO	SAUL	11-AUG-15	74	23-OCT-15	GRV
	01052307M	1411803859	SABINO	SAUL	23-JUN-18	33	25-JUL-18	AMK
*	01052307M	1411903106	SABINO	SAUL	04-JUN-19	72	14-AUG-19	AMK*
	01052307M	4411904484	SABINO	SAUL	22-AUG-19	100	29-NOV-19	CIF
	01052307M	8950701690	SABINO	SAUL	23-OCT-07	133	03-MAR-08	AMK

NEW YORK CITY DEPARTMENT OF CORRECTION
Cynthia Brann, Commissioner



Laura S. Mello
Senior Counsel | FOIL Officer
75-20 Astoria Boulevard
East Elmhurst, New York 11370

718-546-0952
Fax 718-278-6001

Apr 8, 2021

Saul Sabino B&C# 3492002006
GRVC
09- 09 Hazen Street
East Elhurst, NY 11378

Dear Mr. Sabino,

This letter is to acknowledge and respond to the inquiry you sent to the New York City Department of Correction.

Please see attached history of your incarceration in the custody of New York City Department of Correction.

Your latest/ current incarceration started Aug 11, 2020.

Very truly yours,

Jail Time Coordinator
Legal Division

NYS Elmira Correctional Facility
1879 Davis Street, P.O. Box 500
Elmira, N.Y. 14902-0500
Sabino, Saul DIN#23B0946
LOC. A-1-28 cell

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ELMIRA
CORRECTIONAL
FACILITY

Elmira

Correctional Facility

neopost
03/14/2023
US POSTAGE \$000.60⁰

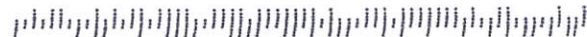
FIRST-CLASS MAIL
ZIP 14901
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Legal mail - ex-
Official Business

United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Attn: Pro Se Unit

11201\$1632 0000



NY State Correctional Facility Correspondence Program
Sabino, Saul DIN# 23BD946
Loc. A-1-28 Cell

Legal Mail - ^{Official} Business